

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: SANDERS, Mitchell C. et al. Confirmation No. 4673
Serial No.: 10/576,634 Art Unit: 1657
Filed: April 5, 2007 Examiner: SHEN, Bin
For: COLORIMETRIC SUBSTRATES, COLORIMETRIC SENSORS, AND
METHODS OF USE
Docket No. 14972 (ETH5160USPCT)

**PETITION UNDER 37 CFR 1.84 FOR ACCEPTANCE OF
DRAWINGS WHICH INCLUDE FIGURES IN THE
FORM OF COLOR PHOTOGRAPHS**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby submit this Petition Under 37 CFR 1.84 requesting the Patent & Trademark Office to accept sheets of drawings for the above-identified patent application wherein certain of the figures in such drawings are in the form of color photographs. It is submitted that for the following reasons use of color drawings and drawings in the form of photographs would be both necessary and appropriate for purposes of teaching and illustrating practice of the invention described and claimed in the application.

As can be seen from the specification and claims and even from the title in the present application, the invention described and claimed therein relates to methods, and to the use and transformation of materials in such methods, wherein changes in color serve to signal and define the operation of the invention. Since color change which is visible to the naked eye is a parameter which forms one of the essential elements of the invention, drawings which illustrate the invention and its operation must necessarily be in color for that illustration to be meaningful. Furthermore, the articles (sensors, collectors, rulers) which include portions thereof that are colored are most meaningfully


shown by photographs instead of by line drawings so that the relationship of the colored portions to the rest of the articles can be clearly depicted.

Furthermore, it is noted that in the specification as filed, the first paragraph of the Brief Description of the Drawings section on Page 3 recites a reference to the colored drawings. In particular, this first paragraph indicates that "The patent or application file contains at least one drawing executed in color. Copies of this patent or patent application publication with color drawings(s) will be provided by the Office upon request and payment of the necessary fee."

As set forth in the accompanying Petition Fee Transmittal, the Commissioner is authorized to charge \$130.00, the requisite fee for this Petition under 37 CFR 1.17(h), to Deposit Account No. 50-2478 in the name of Roberts Mlotkowski Safran & Cole PC. Granting of this Petition and acceptance of the drawings which include color photographs are respectfully requested.

Respectfully submitted,

Date: Feb. 15, 2010


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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on

Date: 16-FEB. 2010

Signature: 
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